

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LITL LLC,

Plaintiff,

v.

HP INC.,

Defendant.

C.A. No. 23-00120-RGA

LITL LLC,

Plaintiff,

v.

DELL TECHNOLOGIES INC. and DELL
INC.,

Defendants.

C.A. No. 23-00121-RGA

LITL LLC,

Plaintiff,

v. Stipulation

ASUSTEK COMPUTER INC., ASUS
GLOBAL PTE. LTD., and ASUS
TECHNOLOGY PTE. LIMITED,

Defendants.

C.A. No. 23-00122-RGA

**STIPULATION AND [PROPOSED] ORDER PERMITTING INTERVENTION
BY MICROSOFT CORPORATION IN CERTAIN ACTIONS**

WHEREAS, Plaintiff LiTL, LLC filed complaints in the above-captioned actions against Defendants HP Inc., Dell Technologies Inc., Dell Inc., and ASUSTeK Computer Inc., Asus Global Pte. Ltd., and Asus Technology Pte. Limited, (collectively, the “Microsoft Customer Defendants”), accusing various of the Microsoft Customer Defendants’ convertible laptop devices (the “Accused Devices”) of patent infringement;

WHEREAS, the Microsoft Customer Defendants are customers of proposed intervenor Microsoft Corporation (“Microsoft”), and certain of the Accused Devices in those actions, when sold by the Microsoft Customer Defendants, are pre-loaded with Microsoft’s Windows software;

WHEREAS, Microsoft believes that the infringement allegations against the Microsoft Customer Defendants in these actions relating to U.S. Patent Nos. 10,289,154 (“the ’154 patent”); 9,003,315 (“the ’315 patent”); 9,880,715 (“the ’715 patent”); 10,564,818 (“the ’818 patent”); and 8,612,888 (“the ’888 patent”) (collectively, the “Microsoft-Asserted Patents”) are based at least in part upon the inclusion of Microsoft’s Windows software in certain Accused Devices;

WHEREAS, as the developer and supplier of the accused Windows functionality, Microsoft contends that it has a strong interest in defending its software and represents that it wishes to intervene in the cases involving the Microsoft Customer Defendants so that it can participate in these litigations;

WHEREAS, Microsoft possesses technical documents concerning its Windows software, Microsoft employs individuals who are knowledgeable about technical issues concerning its Windows software, and Microsoft believes that its participation in these cases as a party would greatly facilitate the taking of relevant discovery;

WHEREAS, the Microsoft Customer Defendants do not oppose Microsoft’s intervention into their actions; and

WHEREAS, the Court has not yet entered a scheduling order in any of the above-captioned cases;

IT IS HEREBY STIPULATED AND AGREED by the parties, pursuant to Rule 24 of the Federal Rules of Civil Procedure, and subject to the approval and order of the Court, as follows:

1. Microsoft Corporation is granted permission to intervene in the actions against the Microsoft Customer Defendants (Case Nos. 23-00120-RGA, 23-00121-RGA, and 23-00122-

RGA), and to file the Complaints in Intervention for Declaratory Judgment of Non-Infringement that are attached hereto as Exhibits A–C in the corresponding actions. The filing of Microsoft’s Complaints in Intervention for Declaratory Judgment of Non-Infringement shall be without prejudice to LiTL’s right to challenge the sufficiency of these pleadings or to its right to assert any defense.

2. Upon the filing of the Complaints in Intervention for Declaratory Judgment of Non-Infringement that are attached hereto as Exhibits A-C, the captions of Case Nos. 23-00120-RGA, 23-00121-RGA, and 23-00122-RGA shall be as set forth in Exhibits A-C.

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Dated: October 13, 2023

SO ORDERED, this _____ day of _____ 2023.

United States District Judge